



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

ELIOT SPITZER  
Attorney General

Criminal Division  
Federal Habeas Corpus Section

**MEMO ENDORSED**

Writer's Direct Telephone No. [redacted]

December 22, 2004

Hon. Kenneth Karas  
United States District Judge  
United States District Court, Southern District of New York  
500 Pearl Street, Room 920  
New York, New York 10007

Re: Butler v. Fisher  
02 Civ. 5733 (KMK) (KNF)

Your Honor:

On behalf of respondent, I am writing to urge you to adopt the report and recommendation submitted by United States Magistrate Judge Fox in this case. For the reasons stated in the report and recommendation, and in respondent's memoranda of law in opposition to the petition, this case presents no basis for habeas corpus relief.

Respectfully submitted,

A handwritten signature of Luke Martland.

Luke Martland (LM 4577)  
Section Chief, Federal Habeas Corpus Section  
(212) 416-8723

cc: Hon. Kevin Nathaniel Fox  
United States Magistrate Judge  
United States District Court, Southern District of New York  
40 Centre Street, Room 540  
New York, New York 10007

The Clerk is  
respectfully requested to  
docket this letter.

Sd Order.

KMK  
1/30/08

Clerk of the United States District Court  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

Mr. Rashan Butler  
98 A 5889  
Fishkill Correctional Facility  
Box 307  
Beacon New York 12508